

AMENDED IN ASSEMBLY MAY 2, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1639**

**Introduced by Assembly Member Sharon Runner**

February 22, 2005

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*An act to amend Section 130050 of the Health and Safety Code, relating to hospital buildings.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1639, as amended, Sharon Runner. Hospital buildings: seismic safety: alternate construction details.

The existing Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 requires design and construction standards for hospital buildings that house patients who have less than the capacity of normally healthy persons to protect themselves, and that must be reasonably capable of providing services to the public after a disaster. The act requires the Office of Statewide Health Planning and Development to approve or reject all plans for the construction or alteration of a hospital building. After January 1, 2008, the act requires any general acute care hospital building that is determined to be a potential risk of collapse or pose significant loss of life to be used only for nonacute care hospital purposes. The act authorizes the office to grant a delay in that deadline under certain circumstances.

~~This bill would state the Legislature's intent to enact legislation that would require the office to prepare engineering judgments for alternate construction details for hospital buildings that are subject to the requirements of the act.~~

*Within 3 years after the adoption by the California Building Standards Commission of earthquake performance categories, seismic evaluation procedures, standards and timeframes for upgrading the*

*most critical nonstructural systems, and standards and procedures for reviewing requests and granting delays to hospitals that demonstrate a need for more time to comply with the January 1, 2008 deadline, the act requires owners of all general acute care hospitals to conduct seismic evaluations and submit them to the office for its review and approval and to prepare a plan and compliance schedule for each building under the office's jurisdiction. The act authorizes the office to grant a one year allowance to owners of all general acute care hospitals from these requirements.*

*This bill would repeal those provisions and instead, one year prior to the January 1, 2008 compliance deadline or one year prior to the deadline approved by the office if an extension has been granted, whichever is later, would require the hospital owner to submit to the office a written plan for the disposition of each pre-1973 hospital building, specifying its replacement, its retrofit, or its removal from general acute care services.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 130050 of the Health and Safety Code is  
2     amended to read:  
3     130050. ~~(a) Within three years after the adoption of the~~  
4     ~~standards described in Section 130020, owners of all general~~  
5     ~~acute care hospitals shall:~~  
6     ~~(1) Conduct seismic evaluations in accordance with~~  
7     ~~procedures developed by the office pursuant to subdivision (e) of~~  
8     ~~Section 130005 and submit evaluations to the office for its~~  
9     ~~review and approval.~~  
10    ~~(2) Identify the most critical nonstructural systems that~~  
11    ~~represent the greatest risk of failure during an earthquake and~~  
12    ~~submit the timetables for upgrading those systems pursuant to~~  
13    ~~subdivision (f) of Section 130005 to the office for its review and~~  
14    ~~approval.~~  
15    ~~(3) With respect to the nonstructural performance evaluation~~  
16    ~~required by this subdivision, the evaluation need not exceed~~  
17    ~~those required by the nonstructural performance category the~~  
18    ~~hospital owner has elected. Additional evaluations shall be~~  
19    ~~obtained if the hospital owner elects to obtain a higher~~

1 nonstructural performance category at a future date. A hospital  
2 owner shall report to the office all deficiencies that are pertinent  
3 to the nonstructural performance category the hospital owner has  
4 elected to attain. A complete nonstructural evaluation and list of  
5 nonstructural deficiencies shall be submitted to the office prior to  
6 the hospital owner selling or leasing the hospital to another party.

7 (b) ~~Within three years after the adoption of standards~~  
8 ~~described in Section 130020, owners of all general acute care~~  
9 ~~hospitals shall prepare a plan and compliance schedule for each~~  
10 ~~building under the office's jurisdiction that indicates the steps by~~  
11 ~~which the hospital intends to bring their hospital buildings into~~  
12 ~~substantial compliance with the regulations and standards~~  
13 ~~developed by the office pursuant to the Alfred E. Alquist~~  
14 ~~Hospital Facilities Seismic Safety Act and this act, identifies the~~  
15 ~~phasing out of or retrofit of noncomplying structures and~~  
16 ~~systems, or outlines steps for relocation of acute care services to~~  
17 ~~facilities that comply with the regulations and standards~~  
18 ~~developed by the office pursuant to the Alfred E. Alquist~~  
19 ~~Hospital Facilities Seismic Safety Act and this act, and presents~~  
20 ~~comprehensive plans and compliance schedules to the office for~~  
21 ~~its review and approval, and integrates this schedule into the~~  
22 ~~facility's master plan.~~

23 (e) ~~Owners of all general acute care hospitals may be granted~~  
24 ~~a one year allowance from the requirements of subdivision (b) by~~  
25 ~~the office if they demonstrate a need for more time to prepare~~  
26 ~~plans and compliance schedules for their buildings.~~

27 *One year prior to the January 1, 2008 compliance deadline*  
28 *pursuant to Section 130060, or one year prior to the deadline*  
29 *approved by the office if an extension has been granted pursuant*  
30 *to Section 130060, whichever is later, the hospital owner shall*  
31 *submit to the office a written plan for the disposition of each*  
32 *pre-1973 hospital building, specifying its replacement, its*  
33 *retrofit, or its removal from general acute care services.*

34 SECTION 1. ~~The Legislature intends to enact legislation in~~  
35 ~~subsequent amendments that would require the Office of~~  
36 ~~Statewide Health Planning and Development to prepare~~  
37 ~~engineering judgments for alternate construction details for~~  
38 ~~hospital buildings that are subject to the requirements of the~~  
39 ~~Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983~~

- 1 ~~(Chapter 1 (commencing with Section 129675) of Part 7 of~~
- 2 ~~Division 107 of the Health and Safety Code).~~

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